

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DEL MAR SEAFOODS INC.,

No. C 07-02952 WHA

Plaintiff,

v.

**FURTHER QUESTIONS FOR
ORAL ARGUMENT**

BARRY COHEN, CHRIS COHEN (a/k/a
CHRISTINE COHEN), *in personam*, and
F/V POINT LOMA, Official Number 515298,
a 1968 steel-hulled, 126-gross ton, 70.8 foot
long fishing vessel, her engines, tackle,
furniture apparel, etc., *in rem*, and DOES 1–10,

Defendant.

At the oral argument set for June 16, 2008, both parties should be prepared to answer the following questions (using *only* the trial record):

(1) Clarify the specific role of the F/V Point Loma in the joint venture that ended in 2004. Did its catches only go to the joint venture? Did the joint venture buy from other vessels?

(2) Clarify the role of any other Barry Cohen restaurants and fish markets vis-a-vis the joint venture.

(3) When the joint venture was operational, where was Barry Cohen stationed? Was he an employee of Del Mar (or only of the joint venture)?

(4) Under the applicable law, must the attorney's fees clause be deemed reciprocal?

Dated: June 9, 2008.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE